

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jan 22, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

ALVIN F.¹,

Plaintiff,

VS.

ANDREW M. SAUL,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:19-CV-03169-MKD

**ORDER GRANTING
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C. §
405(g)**

ECF Nos. 14, 15

Before the Court is the Stipulated Motion for Remand, ECF No. 15, filed by Defendant, requesting remand of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney D. James Tree represents Plaintiff. Attorney Katherine Watson represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 8.

¹ To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names.

1 After consideration, **IT IS HEREBY ORDERED** that:

2 1. The parties' Stipulated Motion for Remand, **ECF No. 15**, is **GRANTED**.

3 2. The above-captioned case be **REVERSED** and **REMANDED** to the

4 Commissioner of Social Security for further administrative proceeding pursuant to

5 sentence four of 42 U.S.C. § 405(g).

6 On remand, the parties stipulate that the ALJ will:

7 (1) Offer the claimant a new hearing;

8 (2) Reevaluate the medical opinion evidence, including the opinions of Drs.
Foster, Harding, Packer, Dalton, and Hurley;

9 (3) Continue with the sequential evaluation and, as necessary, reevaluate
Plaintiff's subjective complaints; and

10 (4) Issue a new decision.

11 ECF No. 15 at 1-2.

12 3. Judgment shall be entered for **PLAINTIFF**.

13 4. Plaintiff's Motion for Summary Judgment, **ECF No. 14**, is **STRICKEN**

14 **AS MOOT**.

15 5. Upon proper presentation, this Court consider Plaintiff's application for
fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

16 The District Court Executive is directed to enter this Order, **enter**
17 **Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

18 DATED January 22, 2020.

19 s/Mary K. Dimke

20 MARY K. DIMKE

UNITED STATES MAGISTRATE JUDGE